

ASD diagnostic challenges and their intersection with the criminal justice system- A CAMHS / developmental perspective.

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ASD

- ASD - a group of related neurodevelopmental disorders. ICD 10 more inclusive than DSM V
- as a group, individuals with ASD are no more likely than their non-ASD individuals to be convicted of committing criminal offences
- however, the incidence of arson and computer crimes may be over-represented by individuals with ASD
- when a person with ASD does commit a crime, it is likely to be directly connected to their autism

Mechanisms

- empathy deficits arising from failing to recognise or misinterpreting the behaviour or feelings of others
- being genuinely unaware of the harm being caused
- ASD sensory or special interests i.e a fascination of watching flames
- lack of insight about social implications or consequences of their behaviour on others

Assessment

- comorbidity associated with ASD is likely to be a major factor linking many cases of young people with ASD and offending
- the historical, individual and social factors which increase risk in young people without ASD of offending behaviour, can also increase (or protect) violence risk for those who are on the spectrum

Vulnerability

- people with autism are often scrupulously law abiding and may be at increased risk of being victims of crime

Case examples (anonymised)



James

17 year old boy

- moderate learning difficulties
- befriends a group of 7-9 year old boys and girls and persuades them to urinate on him which he finds to be pleasurable
- contributing factors: autistic sensory interest and learning difficulties

Sally

13 year old girl

- involved in a number of arson incidents in dustbins, postbox and a derelict building
- assessed as having a diagnosis of Aspergers Syndrome within a context of high levels of parental neglect, mother suffers from alcoholism
- Sally given community sentence with offence specific interventions
- firesetting in the community continued, mother placed into rehab and Sally placed into children's home with ongoing therapeutic input

Sally (continued)

- Sally sets a fire in the children's home at night placing staff and other children at grave risk
- Sally become emotionally distressed and is transferred to a medium secure unit
- contributing factors: autism, chronic parental neglect, stress
- recidivism

Robert

16 year old boy

- diagnosis of autism and ADHD in early childhood and challenging behaviour towards siblings resulting in care placement
- currently displaying intermittent, targeted violent behaviour towards staff and on occasions, his peers
- contributing factors: autism, ADHD, conduct disorder with psychopathic traits and parental rejection

Bobby

15 year old boy

- pleaded guilty to inciting terrorism online and supporting a proscribed far right-wing organisation
- history of non-verbal learning difficulties and high levels of anxiety
- remorseful, given community sentence
- contributing factors: ASD, anxiety, immaturity and parental neglect

Harry

16 year old boy

- shy boy, subjected to repeated bullying from 11 years of age during his secondary school
- following a single episode of shop lifting he starts to fantasize about killing and proceeds to repeatedly stab and kill an adult male unknown to him in a local park and then 6 months later, fatally stabs a adult female stranger
- contributing factors: autism, failure to recognise special educational and social needs, psychopathic traits, trauma and abnormal family dynamics

Future directions

- Need for more research
- Earlier identification and intervention
- ASD informed and friendly CJS services

References

- What is the relationship between ASD and Offending. R Hayes. R C Psych UK 2016
- Feeling, caring, knowing: different types of empathy deficit in boys with psychopathic tendencies and autism spectrum disorder. A Jones et al. JCPP 2010; 51 (11)
- Asperger's Disorder and Criminal Behaviour: Forensic-Psychiatric Considerations
<http://jaapl.org/content/34/3/374>